

BEFORE THE ARIZONA MEDICAL BOARD

In the Matter of

JOSEPH FRANCIS PIAZZA, M.D.

Holder of License No. **35035**
For the Practice of Allopathic Medicine
In the State of Arizona.

Case No: MD-14-0974A

**INTERIM FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
FOR SUMMARY SUSPENSION OF
LICENSE**

INTRODUCTION

The above-captioned matter came before the Arizona Medical Board ("Board") on August 6, 2014. After reviewing all of the relevant information and deliberating, the Board voted to consider proceedings for a summary action against Joseph Francis Piazza, M.D. ("Respondent"). Having considered the information in the matter and being fully advised, the Board enters the following Interim Findings of Fact, Conclusions of Law and Order for Summary Suspension of Respondent's License, pending formal hearing proceedings for license revocation. A.R.S. § 32-1451(D).

INTERIM FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of allopathic medicine in the State of Arizona.

2. Respondent is the holder of License No. 35035 for the practice of allopathic medicine in the State of Arizona.

3. The Board initiated case number MD-14-0974A after receiving a Board Action Disciplinary Alert Report ("DAR") indicating that Respondent's medical license was revoked by the Alabama Board of Medical Examiners ("AMB"). The DAR also indicated that prior to the AMB action, the Florida Board of Medicine ("FMB") accepted, in lieu of discipline, Respondent's relinquishment of his Florida medical license. As part of his

1 relinquishment, Respondent agreed to immediately cease practicing medicine in Florida
2 and to never reapply for licensure in the future.

3 4. Prior to Respondent's relinquishment of his Florida license, the Florida
4 Department of Health ("FDH") obtained the medical records of six patients who were
5 treated by Respondent. The FDH alleged that Respondent "prescribed controlled
6 substances to these patients in inappropriate amounts or combinations without
7 justification." In all six cases, it was alleged that Respondent did not obtain and
8 adequately document medical histories; perform and adequately document physical
9 examinations; refer the patients to a pain management specialist for evaluation and
10 treatment; prescribed potentially lethal amounts of short acting oxycodone; did not provide
11 or implement treatment modalities other than prescribing controlled substances; and did
12 not accurately and completely document the justification for his course of treatment.

13 5. On November 1, 2013, the Virginia Medical Board suspended Respondent's
14 license based on the action taken by the FMB.

15 6. On June 25, 2014, the AMB revoked Respondent's license based on the
16 action taken by the FMB.

17 7. On July 16, 2014, Board staff attempted to contact Respondent. Board staff
18 was informed by Respondent's spouse that he was in federal prison. On September 9,
19 2013, Respondent pled guilty to 18 U.S. § 371, Conspiring to Commit an Offense Against
20 the United States. Respondent was sentenced to prison for a term of 60 months and fined
21 \$250,000.00.
22

23 **INTERIM CONCLUSIONS OF LAW**

24 1. The Board possesses jurisdiction over the subject matter hereof and over
25 Respondent, holder of License No. 35035 for the practice of allopathic medicine in the

1 State of Arizona.

2 2. The conduct and circumstances described above constitute unprofessional
3 conduct pursuant to A.R.S. § 32-1401(27)(d) (“[c]ommitting a felony, whether or not involving
4 moral turpitude, or a misdemeanor involving moral turpitude. In either case, conviction by
5 any court of competent jurisdiction or a plea of no contest is conclusive evidence of the
6 commission.”).

7 3. The conduct and circumstances described above constitute unprofessional
8 conduct pursuant to A.R.S. § 32-1401(27)(o) (“[a]ction that is taken against a doctor of
9 medicine by another licensing or regulatory jurisdiction due to that doctor's mental or
10 physical inability to engage safely in the practice of medicine or the doctor's medical
11 incompetence or for unprofessional conduct as defined by that jurisdiction and that
12 corresponds directly or indirectly to an act of unprofessional conduct prescribed by this
13 paragraph. The action taken may include refusing, denying, revoking or suspending a
14 license by that jurisdiction or a surrendering of a license to that jurisdiction, otherwise
15 limiting, restricting or monitoring a licensee by that jurisdiction or placing a licensee on
16 probation by that jurisdiction.”).

17 4. Based on the foregoing Interim Findings of Fact and Conclusions of Law, the
18 public health, safety or welfare imperatively requires emergency action. A.R.S. § 32-
19 1451(D).

20 **INTERIM ORDER**

21 Based on the foregoing Interim Findings of Fact and Conclusions of Law, set forth
22 above,

23 IT IS HEREBY ORDERED THAT:

24 1. Respondent's license to practice allopathic medicine in the State of Arizona,
25 License No. 35035, is summarily suspended. Respondent is prohibited from practicing

1 any form of medicine in the State of Arizona as set forth in A.R.S. § 32-1401(22).

2 2. The Interim Findings of Fact and Conclusions of Law constitute written notice
3 to Respondent of the charges of unprofessional conduct made by the Board against him.
4 Respondent is entitled to a formal hearing to defend these charges as expeditiously as
5 possible after the issuance of this order.

6 3. The Board's Executive Director is instructed to refer this matter to the Office
7 of Administrative Hearings for scheduling of an administrative hearing to be commenced
8 as expeditiously as possible from the date of the issuance of this Order, unless stipulated
9 and agreed otherwise by Respondent.

10 DATED this 6th day of August, 2014.

11 ARIZONA MEDICAL BOARD

12 By: C. Lloyd Vest, II

13 C. Lloyd Vest, II
14 Executive Director

15 ORIGINAL of the foregoing filed this
16 6th day of August, 2014, with:

17 Arizona Medical Board
18 9545 East Doubletree Ranch Road
19 Scottsdale, Arizona 85258

20 Executed copy of the foregoing mailed by Certified
21 Mail this 6th day of August, 2014, to:

22 Joseph Francis Piazza, M.D.
23 Address of Record

24 Marc H. Harris
25 Assistant Attorney General
1275 West Washington, CIV/LES
Phoenix, AZ 85007

Mary Bobey
Board Staff